

MARLBORO COUNTY COUNCIL

MARLBORO COUNTY CONFERENCE ROOM

Tuesday, August 12, 2008

6 PM

CHAIRMAN                      JEAN WALLACE MCLEAN

VICE-CHAIR                      MICKEY ROGERS

ADMINISTRATOR                      CECIL KIMREY

COUNTY ATTORNEY                      DONNIE MCDONALD

COUNCIL:

JEAN MCLEAN,	JEFF QUICK,
MICKEY ROGERS,	CORRIE H. PLATO,
DR. CAROLYN PRINCE,	KEN ALLEN,
STEVE BLACKMON, AND	ANTHONY WOODS

\*        ABSENT

INVOCATION – Ms. Jean Wallace McLean, Chair.

RECOGNITION OF CITIZEN'S REQUEST BEFORE COUNCIL

Ms. Jean Wallace McLean, Chair updated the Citizens regarding a meeting held on August 6, 2008 with SC DHEC. This bullet summary was approved by DHEC. This summary was given:

On August 6, 2008, representatives of Marlboro County (Jean Wallace McLean, Donnie McDonald, Cecil Kimrey and Steve Weber) met with representatives of DHEC (Etta Williams and Kent Coleman). Among other things, DHEC representatives informed Marlboro County representatives of DHEC's position on the following:

- Under State law, DHEC, not Marlboro County, is charged with ensuring that that private landfill companies meet the requirements for permitting a municipal solid waste (MSW) landfill. DHEC is the final decision maker as to whether the proposed MSW landfill is consistent with the county and state solid waste management plans and complies with local zoning, land use, and other ordinances. DHEC will make the final decision as to whether or not an MSW

landfill will be permitted in the County and the County does not have the authority to override DHEC's decision.

- If the Department had reviewed the Marlboro County solid waste management plan amendment against the proposed MRR Sandhills MSW landfill that was adopted on May 21, 2008 (Ordinance 646), the Department, as the final decision maker, still could have concluded that the proposed landfill was consistent with the local and state plans, local zoning, land use, and other applicable ordinances. Similarly, if Marlboro County had adopted an entirely new solid waste management plan against the proposed Sandhills landfill prior to May 23, 2008, the Department, as the final decision maker still could have concluded that the proposed landfill was consistent with the local and state plans, local zoning, land use, and other applicable ordinances.
- State law does not require a host agreement between a private landfill company and a host county for the construction and operation of an MSW landfill in the county. A private landfill company could apply for and receive a permit to build and operate a municipal solid waste landfill in Marlboro County without a host agreement with Marlboro County.

**Mr. John Nickoless** – addressed Council regarding the proposed landfill. He said he had heard about another landfill in the Clio area on the news earlier in the day. He also advised a group of citizens in North Carolina have joined their group in letting people know about the site in Wallace and they vow to fight it.

#### PRESENTATIONS

**Ms. Frances Taylor, Humane Society** – addressed Council concerning the Humane Society's need for an animal shelter. She advised the current Humane Society has held various fund raisers, etc. and have been unable to raise enough money to obtain a shelter. The funds they have received in donations have been used to feed the animals. The Humane Society currently has \$2000 in their bank account. They requested the County help them with a shelter.

#### APPROVAL OF MINUTES – July 8, 2008

**Motion made by Dr. Carolyn Prince, seconded by Mr. Ken Allen, to approve the minutes of July 8, 2008. Vote in favor. Unanimous. Motion Carried.**

OLD BUSINESS

DISCUSSION OF SHERIFF/MAGISTRATE COMPLEX

Council discussed briefly. It was noted that a work shop was needed to discuss the building. It was also noted the architects suggestions for the building needed to be down sized to a basic building. It could be expanded in the future.

NEW BUSINESS

RESOLUTION # 08-08-01 – A RESOLUTION ACCEPTING THE SOUTH CAROLINA DEPARTMENT OF COMMERCE CDBG GRANT AWARD IN THE AMOUNT OF \$520,000 FOR HIGHWAY 385 WATER EXTENSION.

Mr. Cecil Kimrey, County Administrator advised a letter had previously been received from Marlboro Water Company advising they would cover the matching funds for the grant.

**Motion made by Mr. Steve Blackmon, seconded by Mr. Ken Allen, to approve Resolution # 08-08-01 – A Resolution accepting the South Carolina Department of Commerce CDBG grant award in the amount of \$520,000 for Highway 385 water extension. Vote in favor. Unanimous. Motion carried.**

RESOLUTION # 08-08-02 – A RESOLUTION APPROVING BUDGET TRANSFERS AS REQUESTED BY THE MARLBORO COUNTY ADMINISTRATOR.

Ms. Jean Wallace McLean, Chair advised the requested transfers had previously been approved by Council, this is to formalize the approval. Mr. Cecil Kimrey advised there was one difference, the addition for the transfer for Victims Assistance.

**Motion made by Mr. Ken Allen, seconded by Mr. Anthony Woods, to approve Resolution # 08-08-02 – A Resolution approving budget transfers as requested by the Marlboro County Administrator. Vote in favor. Unanimous. Motion carried.**

REQUEST FOR APPROVAL OF ADDENDUM TO LEASE AGREEMENT BETWEEN MARLBORO COUNTY AND NORTHEASTERN TECHNICAL COLLEGE.

Mr. Donnie McDonald, County attorney advised the addendum adds that at the end of the agreement, NETC would quit and surrender all rights to the joint use facility and would transfer the property back to Marlboro County subject to the approval of the **SC Budget and Control Board**. Mr. McDonald advised the county not to approve the addendum – the original agreement was not subject to approval of the SC Budget and Control Board.

**Motion made by Dr. Carolyn Prince, seconded by Mr. Anthony Woods, to table the addendum to the lease agreement between Marlboro County and Northeastern Technical College. Vote in favor. Unanimous. Motion carried.**

REQUEST APPROVAL FOR ADMINISTRATION GRANT BETWEEN MARLBORO COUNTY AND THE PDRCOG FOR THE HIGHWAY 385 WATER EXTENSION BY MARLBORO WATER COMPANY.

Mr. Cecil Kimrey advised the grant for the water extension is intensive, Pee Dee COG will handle the administration of the grant and keep the county out of trouble.

**Motion made by Mr. Ken Allen, seconded by Dr. Carolyn Prince, to approve the request for approval for administration grant between Marlboro County and the PDRCOG for the Highway 385 Water Extension by Marlboro Water Company. Vote in favor. Unanimous. Motion carried.**

DISCUSSION OF PARD GRANT FUNDS FOR MARLBORO COUNTY.

Mr. Cecil Kimrey advised Council had agreed that Blenheim would be the next recreational area to spend funds. County is trying to get a competitive grant to purchase property for recreation in Blenheim. He does not recommend investing any further funds in property that the county does not own. He would like permission to use the next PARD Grant Funds for this purpose if the competitive grant is not approved. All council members were agreeable. Mr. Donnie McDonald, County Attorney said it would be better to get an option to buy on some property.

Mr. Anthony Woods advised the Clio field is not complete and would like some of the PARD funds to complete it. He advised Clio needs dugouts. Council advised the County Administrator to handle the costs for Clio, the costs would be very little.

REQUEST FOR APPROVAL OF USAGE OF SPECIAL PROJECTS FUNDS BY PROBATE JUDGE AND AWARD BID.

Council was advised the special projects funds requested are already in the Probate Judges budget.

**Motion made by Dr. Carolyn Prince, seconded by Mr. Ken Allen, to approve the request for approval of usage of special projects funds by the Probate Judge as requested. Vote in favor. Unanimous. Motion carried.**

APPROVAL OF BIDS

**Detention Center, Control Panel Upgrade -** Only one (1) bid was received: Grayco Detention Equipment, Inc. in the amount of \$53,978.00 which includes all material, equipment, installation labor, travel time, per diem charges and applicable sales taxes.

Mr. Earl Hood, Warden recommended acceptance of the bid. Mr. Hood was present and advised Grayco already does all maintenance work at the Detention Center. There are very few companies available to do this work. He advised he has \$43,000 in the present budget for this project and the balance can be spread over three years in quarterly payment. He stated that with the savings in repair work, the balance may be able to be paid out of his regular yearly budget.

**Motion made by Mr. Steve Blackmon, seconded by Ms. Mickey Rogers to accept the bid of \$53,978.00 from Grayco Detention Equipment, Inc. for the Detention Center Control Panel Upgrade. Vote in favor. Unanimous. Motion carried.**

**Jennings-Brown House Roof** – Bids received were: Ronald Locklear Construction Co., McColl, SC - \$45,581.53, Eagle Construction & Contracting, Lamar, SC - \$37,180.00, R.W. Nunnery Roofing, Summerton, SC - \$50,965.00, and Exteriors Unlimited & Woodworks, Kershaw, SC - \$53,700.00. Staff recommended Nunnery Company based on the type of roof (Wood Shingle), references presented, and the Building Superintendent's recommendation. Mr. Kimrey advised he had tried to unsuccessfully check the references of R.W. Nunnery. He advised the grant is \$22,500 with the county match (in the budget) of \$22,500. Council agreed they needed to review the bids further before making a decision. This would be placed on the agenda for the Called Workshop.

**Motion made by Ms. Mickey Rogers, seconded by Dr. Carolyn Prince, to table the decision for the Jennings-Brown House Roof for additional information. Vote in favor. Unanimous. Motion carried.**

**Treasurer Office, Sturgis Web Services** – the proposal included a one time cost for Design Pricing (Online Tax Search, View, and Pay Web Site Solution) in the amount of \$9,500.00 and a recurring cost for Hosting, Maintenance and Administration pricing of \$395.00 per month.

**Motion made by Dr. Carolyn Prince, seconded by Mr. Anthony Woods, to approve the proposal as presented by Sturgis Web Services for a one time cost of \$9,500.00 for Design Pricing and a monthly charge of \$395.00 for Hosting, Maintenance and Administration and to authorize the County Administrator to execute the agreement. Vote in favor. Unanimous. Motion carried.**

#### APPOINTMENTS TO BOARDS & COMMISSIONS

Chesterfield-Marlboro Economic Opportunity Council, Inc. (EOC)

**Motion made by Dr. Carolyn Prince, seconded by Mr. Steve Blackmon, to reappoint Mr. Grover McQueen to the Chesterfield-Marlboro Economic Opportunity Council, Inc. (EOC) board. Vote in favor. Unanimous. Motion carried.**

**Motion made by Dr. Carolyn Prince, seconded by Mr. Steve Blackmon, to re-appoint Mr. Tyrone Abraham to the Recreation Commission. In his absence, Mr. Abrahams wife would attend in his place. Vote in favor. Unanimous. Motion carried.**

**Motion made by Dr. Carolyn Prince, seconded by Mr. Steve Blackmon, to appoint Mr. Ronald Brown to the Planning & Zoning Commission to replace Ms. Sarah Stroman. Vote in favor. Unanimous. Motion carried.**

## REPORTS

### Committee Reports

**Mr. Jeff Quick, Recreation Committee** – advised football signups have been suspended. He stated cheerleaders and soccer players are still needed. Mr. Quick also wanted to bring a problem to Councils attention at Lake Paul Wallace. He advised the fishing is off at the lake – he questioned where are the fish. He also questioned the money that is suppose to keep up the lake.

### Administrative/Financial Report – Cecil Kimrey, County Administrator

**Employee Anniversary Dates** – the following employee anniversary dates were recognized through July with at least five years service: Patricia Karneckis, Jacqueline Bright, Bobbie Cox, Tammy Perkins, Sandy Wilkes, and Jeffrey Dudley.

**Carroll Field** – the bleachers which have collapsed will be removed as soon as possible. We have been advised by DHEC that an Asbestos study will have to be completed as well as obtaining a demolition permit from DHEC.

**Funds received** – the county received a \$50,000 check from an Order of Bankruptcy proceedings from Delta Mills.

**Library** – the county has received \$200,000 from BCBS (BlueCross BlueShield) and \$125,000 from Hugh McColl for the new library.

**Bids** – the county will be advertising for bids for the motorgrader with bids to be opened September 9, 2008.

**Economy** – if the economy does not improve significantly, the county may have to further restrict spending by the end of the year. Recently the recreation part-time position and delinquent tax full-time position was combined into one full-time position. Building Codes and Registration employees will be asked to assist where necessary. We have limited detention center inmate time on Saturdays. The State will be cutting their funding for local governments by 3% which is approximately \$50,000 this year for Marlboro County.

**EMS Funds** – Marlboro County is eligible to receive \$16,627.97 from SCDHEC for EMS. If funded a resolution will be prepared.

**Vehicles** – the county will be looking to establish a vehicle use policy.

**Expenditures** – were at 8 % for June, 2008.

**Investment funds** - a letter written by Robert Jordan of Hill & Jordan was presented to Council regarding investment of county funds.

**DD McColl House** – the Administrator requested permission to replace the fence in front of the DD McColl House. The funds were donated for this purpose. The cost was estimated to be \$2500 to \$3000. Council was agreeable.

**Clemson Extension Building** – the original heating and air contractor was contacted to provide a recommendation regarding moisture problems at the county building which houses Clemson Extension and Health & Human Services.

**Detention Center** – the Dataworks contract for the jail was renewed in the amount of \$4,796.68. The food price contract will be going up by 5%.

#### RECOGNITION OF COUNCIL MEMBERS

**Dr. Carolyn Prince** – advised there is still a problem in the Jennings/Maple Street areas with noise. She state this is a continuous problem and would like the Public Safety Committee to work with the Sheriff to write a Noise Ordinance that would be enforceable. We have previously been advised by the Sheriff that our ordinance is not strong enough to be enforced, she questioned how do we tweak the ordinance to make it enforceable? She has received a lot of complaints.

Chief Deputy Lemon was present and requested he be allowed to respond. He advised he has personally gone on a number of calls in this area. However, when they get there, the noise has been turned down. He advised he has personally sat down with the Chief Magistrate to discuss how to get a conviction when prosecuting these persons. He advised the Magistrate is working with him. However, you must catch the individuals with the situation. They are still working on this situation and will try to help the citizens.

Dr. Prince advised another issue she would like to address is – does the county look into the background of construction companies for litigation and other problems when we are considering them for jobs. She was advised this hard to find, however, there is a disbarment list.

**Mr. Ken Allen** – stated he would like to thank Ms. Delorice Barrington, Treasurer for her cooperation with the financial situation we recently had. He stated she was absolutely correct in what she did.

EXECUTIVE SESSION – Discussion of Contractual and Legal Issue.

**Motion made by Mr. Steve Blackmon, seconded by Mr. Ken Allen, to enter into Executive Session for discussion of a contractual and legal issue. Vote in favor. Unanimous. Motion carried.**

**Motion made by Dr. Carolyn Prince, seconded by Ms. Mickey Rogers, to re-enter open session. Vote in favor. Unanimous. Motion carried.**

Ms. Jean Wallace McLean advised no decisions had been made, no votes had been taken.

**Motion made by Mr. Steve Blackmon, seconded by Ms. Corrie Plato to authorize the County Administrator to make the adjustments to the Library construction budget and to negotiate the change order for removal of the debris at the library site. Vote in favor. Unanimous. Motion carried.**

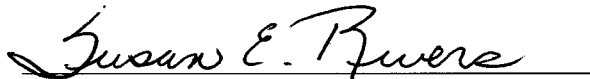
ADJOURN

There was no further discussion. The meeting was adjourned.

(SEAL)

  
JEAN WALLACE MCLEAN, CHAIR  
MARLBORO COUNTY COUNCIL

ATTEST:

  
SUSAN E. RIVERS, CLERK  
MARLBORO COUNTY COUNCIL

Date Adopted: September 9, 2008